



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/581,101	08/21/2000	Detlef Rode	10191/1388	2331

26646 7590 02/11/2004

KENYON & KENYON  
ONE BROADWAY  
NEW YORK, NY 10004

EXAMINER

HOANG, THAI D

ART UNIT	PAPER NUMBER
----------	--------------

2667

7

DATE MAILED: 02/11/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/581,101

Applicant(s)

RODE ET AL.

Examiner

Thai D Hoang

Art Unit

2667

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on Application filed on 08/21/2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 16-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 16-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>3</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Claim Objections***

The numbering of claims is not in accordance with 37 CFR 1.126 which requires the original numbering of the claims to be preserved throughout the prosecution. When claims are canceled, the remaining claims must not be renumbered. When new claims are presented, they must be numbered consecutively beginning with the number next following the highest numbered claims previously presented (whether entered or not).

Misnumbered claims 8-14 have been renumbered 16-22 respectively. As a result, the statement "The method according to claim 8" in claims 9-14 should be changed to -- The method according to claim 16--

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 18 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 18 recites "transmitting the information message to at least one of the at least one first logical component and the at least one second logical component." Is not clear. It is confusing what component performs the step of "transmitting the information message to at least one of the at least one first logical component and the at least one

Art Unit: 2667

second logical component" since the system has the first component and second component.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 16-19 and 21-22 are rejected under 35 U.S.C. 102(b) as being unpatentable over Ikata et al., US patent No. 5,351,041.

Regarding claims 16, 19 and 21, Ikata discloses a method of data communication in communication network, such as an audiovisual system, on automobile. Ikata teaches that the system has a master unit M (second logical component) and a plurality of slave units  $S_n$  (first logical component) which are connected to a common communication bus, see fig. 1A. As shown in FIGS. 1A and 1C, the slave units  $S_n$  initially transmit connection confirmation request information  $D_{REQ}$  of their own to the master unit M. After having receiving the connection confirmation request information  $D_{REQ}$ , the master unit M issues information RDT, acknowledging the reception of the connection confirmation request information  $D_{REQ}$ , to the slave units  $S_n$  in step S10. Ikata also teaches that such a confirmation may be carried out by storing, in a memory addresses of the slave units which were connected when the communication network stopped operating in the preceding cycle and comparing the stored addresses with the addresses of those slave units from which a self report has

Art Unit: 2667

actually been transmitted to the master unit M. After elapse of a predetermined period of time, the slave units  $S_n$  transmit connection confirmation request information again to the master unit M to discriminate whether there is a reception acknowledgement or not in step S10, then the slave units  $S_n$  effect internal process in step S14 and the process go back to a normal operation; fig. 1A-B, 3-7, col. 4, line 66-col. 5, line 17.

Regarding claim 17, Ikata discloses that the master unit M comprises a RAM to store information for communication with the slave units  $S_n$ ; col. 4, line 43, col. 10, line 57-58 .

Regarding claim 18, as best understood, Ikata discloses that the after the slave units confirmed to connect to the network, the system go back to the normal operation; step S5 fig. 1B. It indicates that there is a mutual communication message between the master unit and slave units.

Regarding claim 22, Ikata discloses that the system performs its functions when a failure of the power is occurred between the master unit and the slave units or every time car accessory power supply switch (ACC) is switched; col. 9, line 5 – col. 12, line 15.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 2667

Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ikata et al., US patent No. 5,351,041, in view of Mutoh, US patent No. 5,251,211.

Regarding claim 20, Ikata discloses that when the system is turned on, it performs the step of detecting new component connected to the system and configuring previous status of the other component; col. 9, line 5 – col. 12, line 15. Ikata does not explicitly disclose that the system performs the step of resetting. However, Mutoh discloses a multiplex transmission system for automotive vehicles. Mutoh teaches that a node (slave) in the system is reset by a reset command; col. 14, lines 15-22. It would have been obvious to one of ordinary skill in the art at the time the invention was made to adapt the method of resetting disclosed by Mutoh into the Ikata's system in order to quickly connect the node to the system.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following references are cited to further show the state of the art with respect to the application:

US patent No. 5,915,238 A, Tjaden disclose "Personal Audio information delivery system."


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thai D Hoang whose telephone number is (703) 305-3232. The examiner can normally be reached on Monday-Friday 8:30am-5:00pm.

Art Unit: 2667

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi Pham can be reached on (703) 305-4378. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Thai Hoang

  
CHI PHAM  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600 2/6/04